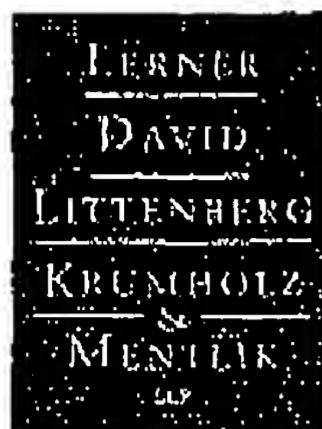


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PATENTS, TRADEMARKS, COPYRIGHTS & UNFAIR COMPETITION

William A. Di Bianca
908.518.6340
wdibianca@ldkm.com

October 28, 2008

Commissioner For Patents
Office of Initial Patent Examination
Customer Service Center
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Our File: SPINE 3.0-437 CIP CIP CIP CIP CIP CIP CIP CIP I CON V
Application No. 10/663,486
Filing Date: September 16, 2003
Group Art Unit: 3738

Dear Sir:

We are enclosing herewith a copy of a corrected filing receipt dated September 26, 2008 for the above-identified patent application.

Please note that the filing receipt is incorrect. Please insert the following under Domestic Priority data as claimed by applicant:

This application is a CIP of 10/282,356 filed 10/29/02 PAT. 7,169,182
This application is a CIP of 10/309,585 filed 12/4/02 PAT. 7,115,132
This application is a CIP of 10/425,267 filed 4/29/03 PAT. 7,235,081
and said 10/282,356 filed 10/29/02 PAT. 7,169,182
is a CIP of 10/256,160 filed 9/26/02 PAT. 6,989,032
and said 10/309,585 filed 12/4/02 PAT. 7,115,132 and 10/425,267 filed 4/29/03 PAT. 7,235,081
are CIP applications of 10/282,356 filed 10/29/02 PAT. 7,169,182
and said 10/256,160 filed 9/26/02 PAT. 6,989,032
is a CIP of 10/175,417 filed 6/19/02
and said 10/175,417 filed 6/19/02
is a CIP of 10/151,280 filed 5/20/02
and said 10/151,280 filed 5/20/02
is a CIP of both 09/970,479 filed 10/4/01 PAT. 6,669,730 and 10/140,153 filed 5/7/02
and said 09/970,479 filed 10/4/01 PAT. 6,669,730
is a CIP of 09/968,046 filed 10/1/01
and said 10/140,153 filed 5/7/02
is a CIP of both 09/970,479 filed 10/4/01 PAT. 6,669,730 and 10/128,619 filed 4/23/02 PAT. 6,863,689
and said 10/128,619 filed 4/23/02 PAT. 6,863,689
is a CIP of both 09/906,119 filed 7/16/01 PAT. 6,607,559 and 09/982,148 Filed 10/18/01 PAT. 6,673,113

915719_1.DOC

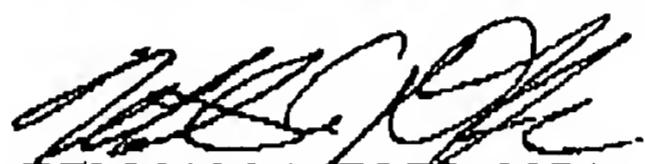


Commissioner For Patents
Office of Initial Patent Examination
October 28, 2008
Page 2

Kindly issue a corrected filing receipt for the above-identified application as soon as possible.

Sincerely yours,

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP



WILLIAM A. DI BIANCA
Reg. No. 58,653

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Enclosures

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APPLICATION NUMBER	FILING OR 371(c) DATE	GRP ART UNIT	FEE REC'D	ATTY/DOCKET NO	TOT CLAIMS	IND CLAIMS
10/663,486	09/16/2003	3738	375	SPINE 3.0-437 PPPPPPICV	10	2

CONFIRMATION NO. 2428

CORRECTED FILING RECEIPT



0000000032293834

51640
 SPINE MP
 LERNER, DAVID, et al.
 600 SOUTH AVENUE WEST
 WESTFIELD, NJ 07090

Date Mailed: 09/26/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections.

Applicant(s)

Joseph P. Errico, Green Brook, NJ;
 Michael W. Dudasik, Nutley, NJ;
 Rajil Zubok, Midland Park, NJ;

Power of Attorney: The patent practitioners associated with Customer Number 000530

Domestic Priority data as claimed by applicant

This application is a CON of 10/282,356 10/29/2002 PAT 7,169,182
 and is a CON of 10/309,585 12/04/2002 PAT 7,115,132
 and is a CON of 10/425,267 04/29/2003 PAT 7,235,081
 and said 10/309,585 12/04/2002
 is a CIP of 10/282,356 10/29/2002 PAT 7,169,182
 and said 10/425,267 04/29/2003
 is a CIP of 10/282,356 10/29/2002 PAT 7,169,182
 which is a CIP of 10/256,180 09/26/2002 PAT 6,989,032
 which is a CIP of 10/175,417 06/19/2002
 which is a CIP of 10/151,280 05/20/2002
 which is a CIP of 09/970,479 10/04/2001 PAT 6,669,730
 and is a CIP of 10/140,153 05/07/2002 ABN
 and said 09/970,479 10/04/2001
 is a CIP of 09/968,046 10/01/2001 ABN
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 is a CIP of 09/970,479 10/04/2001 PAT 6,669,730
 and is a CIP of 10/128,619 04/29/2002 PAT 6,863,889
 which is a CIP of 09/908,119 07/16/2001 PAT 6,607,559
 and is a CIP of 09/982,148 10/18/2001 PAT 6,673,113

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Foreign Applications

If Required, Foreign Filing License Granted: 12/08/2003

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 10/663,486

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No
Title

INTERVERTEBRAL SPACER DEVICE HAVING RECESSED NOTCH PAIRS FOR MANIPULATION
USING A SURGICAL TOOL

Preliminary Class

623

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Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific

page 2 of 3

countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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